

**U.S. Department of the Interior
Bureau of Land Management**

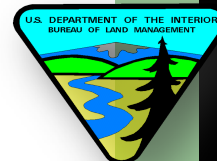
**Environmental Assessment
DOI-BLM-CA-N050-2010-37-EA**

**TEMPORARY LAND CLOSURE
TWIN PEAKS HERD MANAGEMENT AREA
WILD HORSE and BURRO GATHER**

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1.0 INTRODUCTION

The Eagle Lake Field Office, Bureau of Land Management (BLM) is proposing to limit public access through temporary closure of the public lands surrounding proposed gather and holding locations associated with the Twin Peaks Herd Management Area (HMA) Wild Horse and Burro Gather for the period of August 9, 2010 through September 30, 2010. This temporary closure would limit public use of these lands during wild horse gather operations.

This Environmental Assessment (EA) contains the site-specific analysis of potential impacts that could result with the implementation of the Proposed Action for temporary closure or with the selection of the No Action alternative. The EA ensures compliance with the National Environmental Policy Act (NEPA). Based on the following analysis of potential environmental consequences, a determination can be made whether to prepare an Environmental Impact Statement (EIS) or issue a "Finding of No Significant Impact" (FONSI). A FONSI documents why implementation of the selected alternative will not result in environmental impacts that would significantly affect the quality of the human environment.

1.1 Purpose and Need

The wild horse gather operation scheduled to begin around August 9, 2010, includes the authorized use of helicopters to herd and capture wild horses from various portions of the Twin Peaks HMA, as well as adjacent public and private lands outside of the established boundaries of the identified HMA. The helicopters will also be assisted by BLM employees and contractors working on horseback or driving vehicles within the area. Gathered horses and burros will be held temporarily at gather sites and temporary holding facilities within the Twin Peaks HMA and adjacent public and private lands.

The temporary closure would promote the safety and welfare of the wild horses and burros, and protect members of the public, as well as BLM and contractor personnel conducting gather operations. Increasing numbers of individuals have been traveling to the public lands during recent gathers in order to personally observe gather and handling operations. This increased level of interest and involvement can disrupt gather activities and poses potential safety hazards.

Without this closure, the public could intentionally or inadvertently enter the lands in proximity to the gather and holding locations and endanger the wild horses, BLM and contractor personnel, as well as themselves. The proposed closure would only be temporary in duration and would not affect all of the public lands within the HMA simultaneously. Only those specific areas in the HMA where wild horses are being actively gathered and held would be closed. Each site would only be closed for the duration of the gather operations at that respective site.

Areas to be temporarily closed to public access will be posted at main entry points into each closure area with signs as well as copies of this temporary closure notice.

1.2 Relationship to Statutes, Regulations, and Other Plans

The BLM is responsible for the preparation of this EA, which was prepared in conformance with the policy guidance provided in the BLM's NEPA Handbook (BLM Handbook H-1790-1). The Proposed Action is consistent with the Eagle Lake RMP, 2008, and all federal laws and regulations; other federal agencies, state, and local government, to the extent practical within federal law, regulation, and policy. The Proposed Action is consistent with BLM Washington Office Instruction Memorandum 2010-028.

Authority for temporary land closure is found at 43 CFR 8364.1.

1.3 Scope of This Environmental Analysis / Identification of Issues

1.3.1 Scoping and Issue Identification

Through internal scoping, the BLM determined that no additional issues, impacts, or potential alternatives need to be addressed in this EA since the Proposed Action consists solely of temporary closure to the public of the affected public lands.

1.3.2 Supplemental Authorities and Other Resources

Appendix 1 of BLM's NEPA Handbook (H-1790-1) identifies Supplemental Authorities that are subject to requirements specified by statute or executive order and must be considered in all BLM environmental documents. The table below lists the Supplemental Authorities and their status in the location of the proposed action. Supplemental Authorities that may be affected by the Proposed Action are further described in this EA.

Resource or Issue	No Impact	May Impact	Not Present	Rationale
Air Quality	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Area of Critical Environmental Concern	X			The North Dry Valley, Buffalo Creek Canyons, Lower Smoke Creek, and Pine Dunces ACECs are located within the Twin Peaks HMA, however the activities inherent to the proposed action are not of the nature and scope that would affect the resources within the ACECs.
Cultural Resources	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Environmental Justice	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Farmlands, Prime or Unique			X	This element is not present within or near the area determined to be influenced by the proposed action.
Floodplains			X	This element is not present within or near the area determined to be influenced by the proposed action.
Noxious Weed Species	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.

Resource or Issue	No Impact	May Impact	Not Present	Rationale
Native American Religious Concerns	X			Consultation and Field Tours of the project area will be conducted with local tribes if requested.
T&E Fauna/Flora			X	No federally listed threatened or endangered (T&E) wildlife species or habitats are known to occur within the project area.
Waste - Hazardous			X	This element is not present within or near the area determined to be influenced by the proposed action.
Water Quality - Surface	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Wetlands/Riparian	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Wild & Scenic Rivers	X			The activities inherent to the proposed action are not of the nature and scope that would affect this element.
Wilderness Study Areas	X			The Twin Peaks HMA encompasses seven WSAs, however none of the trap sites or temporary holding facilities that would be affected by the proposed action are located within the WSAs.

1.3.3 Identified Issues Studied in Further Detail

The following additional topics were identified during internal scoping as issues related to the proposed action, and it has been determined by the BLM that they warrant further study to analyze potential environmental consequences.

Other Issues/Resource	Rationale
Health and Safety of Wild Horses and Burros	The proposed temporary closure would eliminate potential stress and injury to wild horses and burros from animals trying to shy away or flee from individuals or groups of people.
Public, BLM, and Contractor Safety	The Proposed Action is designed to reduce the risk of personal injury to members of the public, BLM staff, and contractors.
Recreation	Temporary closure may interfere with recreational activities within the closure area.

2.0 ALTERNATIVES

Alternatives analyzed in detail include the following:

Alternative A. Proposed Action: Implement a temporary closure of certain public lands located adjacent to and around the proposed gather and holding locations for the Twin Peaks Wild Horse and Burro Gather to all public entry.

Alternative B. No Action Alternative: Do not implement a temporary closure on lands adjacent to and around the proposed locations for the Twin Peaks Wild Horse and Burro Gather.

2.1 Description of Alternatives

2.1.1 *Proposed Action*

The Proposed Action would implement a temporary closure of certain public lands (listed below in Section 2.1.2) to all public entry for lands located adjacent to and around the proposed gather and holding locations for the Twin Peaks Wild Horse and Burro Gather. This temporary closure of the subject lands will be in effect on the Twin Peaks Herd Management Area in Lassen County, California and in Washoe County, Nevada from 12:01 A.M. PDT on Monday, August 9, 2010 until Thursday, September 30, 2010 at 11:59 P.M. PDT. The closure would restrict all public entry into these public lands, except by individuals that are determined to be exempt by the BLM. BLM employees, gather contractor staff, and other designated personnel related to the gather operations would be exempt from the closure. Exempt persons include: Federal, state, and local officers and employees in the performance of their official duties; members of organized rescue or fire-fighting forces in the performance of their official duties; and persons with written authorization from the BLM Eagle Lake Field office.

Areas from which the public will be temporarily excluded will be limited to the public lands surrounding the individual gather sites and temporary holding areas. Not all subject lands will be closed during the entire period; the public will be authorized to use those areas where gather operations are either not in progress or have been finalized. The proposed closure would only be temporary in duration and would not affect all of the public lands within the HMA simultaneously. Only those specific areas in the HMA where wild horses are being actively gathered and held would be closed. Each site would only be closed for the duration of the gather operations at that respective site.

Under the Proposed Action, public access to areas that remain open to the public will be limited to scheduled and escorted public and media observation days, as described in Appendix 1. While visiting the gather locations, all visitors will be required to stay within a designated observation area that will be clearly identified at each location. At the temporary holding facility(s), visitors will be escorted around the facility so that they can observe the wild horses in the various holding pens as well as view the sorting activities from designated observation site. These rules were created to ensure the safety of both the humans and the animals at the gather and temporary holding site(s). Any visitors who do not follow the rules of observation will be removed from the gather and will not be allowed to attend future gathers.

Temporary closure of the public lands would be announced by a Temporary Closure Notice published in the Federal Register. Roads leading into the public lands under notice would be posted to notify the public of the closure. The closure notice would be posted on the BLM web site and the public room at the Eagle Lake Field Office.

2.1.2 Location of Lands under Temporary Closure

The legal descriptions of the affected public lands are listed below, and shown on Map 1.

Mount Diablo Meridian, California

T. 36 N., R.15 E
Sec. 13, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 23, E $\frac{1}{2}$ NE $\frac{1}{4}$

T. 35 N., R.16 E
Sec. 2, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 10, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 1, N $\frac{1}{2}$, SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$

T. 35 N., R.17 E
Sec. 15, S $\frac{1}{2}$
Sec. 21, E $\frac{1}{2}$
Sec. 22
Sec. 24, S $\frac{1}{2}$
Sec. 25

T. 34 N., R.16 E
Sec. 11, S $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 12, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 14, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$
Sec. 17
Sec. 18, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$

T. 34 N., R.17 E
Sec. 28, 29, 32, and 33

T. 33 N., R.16 E
Sec. 9, E $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 10, E $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$

T. 33 N., R.15 E
Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 18, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
and SE $\frac{1}{4}$

T. 33 N., R.17 E,
Sec. 1, 3, 4, 9, and 10

T. 32 N., R.15 E
Sec. 35, E $\frac{1}{2}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$

T. 31 N., R.15 E
Sec. 1, SW $\frac{1}{4}$
Sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$

T. 31 N., R.17 E
Sec. 10, SE $\frac{1}{4}$
Sec. 11, SW $\frac{1}{4}$
Sec. 14, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$
Sec. 15, S $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$

T. 30 N., R.17 E
Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 9, NW $\frac{1}{4}$, E $\frac{1}{2}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 23, 24, 25, 26, 35, and 36
Sec. 36, Lots 4, 5, and 8

T. 29 N., R.17 E
Sec. 1, Lots 3, 8, 9, 11, and 12
Sec. 33 and 34

T. 28 N., R.17 E
Sec. 1, 2, 3, and 4 (unsurveyed)
Sec. 10, 11 (unsurveyed)
Sec. 14 and 15
Sec. 23, N $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$

Mount Diablo Meridian, Nevada

T. 35 N., R.18 E
Sec. 29, and 32

T. 34 N., R.19 E
Sec. 1, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$
Sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and
N $\frac{1}{2}$ SE $\frac{1}{4}$

T. 34 N., R.20 E
Sec. 6, SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 7, W $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$

T. 33 N., R.18 E
Sec. 4, 8
Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$

T. 33 N., R.19 E
Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$

T. 32 N., R.20 E
Sec. 6
Sec. 33, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$

T. 32 N., R.18 E
Sec. 34, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$

T. 31 N., R.20 E
Sec. 5, N $\frac{1}{2}$ NW $\frac{1}{4}$

T. 31 N., R.18 E
Sec. 1, S $\frac{1}{2}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 3, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$

T. 30 N., R.18 E
Sec. 32, SW $\frac{1}{4}$

T. 29 N., R.18 E
Sec. 5, Lots 7,8 and 9
Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$

2.1. 2 No Action Alternative

Under the No Action Alternative, the BLM would not implement a temporary closure order, and the subject lands would remain open to public entry during all of the gather and holding operations, under the conditions stated in Appendix 1.

3.0 AFFECTED ENVIRONMENT

3.1 Health and Safety of Wild Horses and Burros

The BLM has been actively conducting wild horse gathers for almost 40 years. During this time, methods and procedures have been identified and refined throughout the western states to minimize stress and impacts to wild horses during implementation of wild horse gathers. Each gather is conducted using a set of Standard Operating Procedures (SOPs) which have been implemented to ensure a safe and humane gather and to minimize potential stress and injury to wild horses.

During gather operations the BLM or contractor utilizes a helicopter and pilot to herd the horses or burros to a specified gather location. The use of a helicopter drive-trapping is well established for the management of wild horses and burros as well as various wildlife species and is humane, safe and effective. The pilot locates groups of wild horses and burros within the HMA and guides them towards the gather corrals. The pilot and the BLM staff monitor the condition of the horses and burros to ensure their safety by checking for signs of stress, exhaustion, and injuries.

Once near the gather site, the contractor holds a “Prada” horse at the mouth of the wings leading to the gather corral. As the pilot herds the wild horses and burros into the wings, the Prada horse is released and leads all of the wild horses into the gather corrals, which reduces the chances for the wild horses to try to jump out of the corral or strike the panels once inside. The contractor’s ground crew secure gates once the horses and burros are within the corrals. Once the gates are secure, the crew separates the foals and weaker horses from the other horses at the gather site so that they may be transported to the holding corrals separately, and avoid being injured by the stronger animals.

Occasionally (and more frequently for difficult to gather areas) helicopter-assisted roping is implemented, in which the pilot moves a small group of horses or burros to the gather area, and the crewmembers rope the animals by horseback. This method often prevents overstressing the wild horses and burros from repeated attempts to move them into the gather corrals. The roped horses are then led to the corrals, to awaiting stock trailers, or carefully immobilized on the ground until they can be loaded into stock trailers.

Temporary Holding

The gather contractor constructs a centrally located temporary holding facility to which the wild horses or burros are transported after being gathered. These corrals consist of six or more pens constructed of sturdy panels, with a central alleyway and working/squeeze chute in the center.

Once horses and burros are in the holding corrals, the BLM staff and the contractor age and sort the animals into appropriate pens, separating mares and foals from studs to prevent fighting and injury, as well as identifying excess animals to be shipped to adoption preparation facilities and animals to be retained within the HMA. During the aging and sorting process, the BLM staff documents the age, color, body condition, and lactation status of the horse.

Injuries are noted and treated if needed. During this time, the BLM may consult with a veterinarian to treat sick or injured animals, or make recommendations for euthanasia. Once sorted, the wild horses and burros are given hay and water.

Generally, wild horses and burros settle down quickly once gathered, sorted and placed into the holding pens. They appear to have a heightened level of stress due to the helicopter activities and a heightened awareness of people moving around them, but this subsides as the animals become accustomed to the activities. At all times, extreme caution is used when moving around the holding corrals so as not to cause undue stress to the horses, or to scare/spook them where they could potentially injure themselves by striking panels. Corral panels are covered with snow fencing to keep animals calm by limiting their vision of the surroundings. To reduce the stress level when moving wild horses and burros within the corrals for sorting and loading purposes, the contractor uses as few people as possible to safely complete the activity.

3.2 Health and Safety of the Public, BLM Staff, and Contractors

In recent gathers, members of the public have increasingly traveled to the public lands to observe BLM's gather operations. While many members of the public cause no problems as a result of their presence and follow BLM's directions during the gathers, a few members of the public have actively taken or attempted to take actions to obstruct or interfere with the wild horse gather operations. For example, during recent past gathers such individuals have blocked or attempted to block roads used by BLM and its contractors, have driven into unauthorized areas, or have attempted to enter into the pens where wild horses are being held following the gather. Members of the public can also inadvertently wander into areas that put them in the path of wild horses that are being herded or handled during the gather operations. Such activities, whether intentional or accidental, not only hamper the gather operations, but more importantly, create the potential for injury to the wild horses or burros and to the BLM employees and contractors conducting the gather and/or handling the horses as well as to the public themselves. Because these horses are wild animals, there is always the potential for injury when individuals get too close or inadvertently get in the way of gather activities.

The helicopter work is done at various heights above the ground, from as little as several feet (when herding the animals the last short distance to the gather corral) to several hundred feet (when doing a recon of the area). While helicopters are highly maneuverable and the pilots are very skilled in their operation, unknown and unexpected obstacles in their path can impact their ability to react, creating an extreme safety concern. These same unknown and unexpected obstacles can impact the wild horses or burros being herded by the helicopter in that they may not be able to react and can be potentially harmed or caused to flee which can lead to injury and additional stress. When the helicopter is working close to the ground, the rotor wash of the helicopter is a safety concern by potentially causing loose vegetation, dirt, and other objects to fly through the air which can strike or land on anyone in close proximity as well as cause decrease vision.

3.3 Recreation

Recreational uses in the vicinity of the Twin Peaks Gather operations consist mostly of wilderness recreation and some motorized uses. Activities that occur are hiking, wildlife observation, wild horse observation, nature study, archaeological sightseeing, and hunting. Other activities include bird watching, recreational driving, sightseeing/exploring, recreational shooting, and some fishing and camping, usually near water sources. Most visitor use occurs on weekends, except during the fall deer hunting season. The Twin Peaks HMA contains seven wilderness study areas, so a vast portion of the HMA contains very few roads.

4.0 Environmental Consequences

This section describes the environmental consequences of implementing Alternative A or B (described in Section 2.0) on resources within the Twin Peaks Herd Management Area. This section describes the Direct and Indirect Effects, and Cumulative Effects for all resources that may be impacted from the alternatives.

4.1 Effects on the Health and Safety of Wild Horses and Burros

4.1.1 Effects Resulting from Alternative A. Proposed Action

The proposed temporary closure would eliminate the risk of potential stress and injury to wild horses and burros that could result from these animals trying to shy away or flee from individuals or groups of people who may get in the path of the herding, who may approach them at holding facilities, who may enter (or attempt to enter) the gather and holding corrals without authorization, or who create a disturbance such as attempting to release the animals from holding and gather corrals.

4.1.2 Effects Resulting from Alternative B. No Action

Without implementing the proposed temporary closure, there would be a potential for increased stress and injury to wild horses and burros resulting from individuals or groups of people purposely or inadvertently crossing or blocking the path of the horses being herded to gather corrals. The helicopter pilots try to guide or herd the horses and burros in the direction of the gather locations at their own pace and along routes that they normally travel so the animals will move in the desired direction without much pressure. However, if something or someone suddenly blocks or crosses this path, they will try to flee away from whatever it is, undermining the more measured pace of the helicopter pilots. This can result in higher levels of stress, and possible exhaustion and injury due to the increased herding pressure, in order to get them to the gather location. Fleeing horses can go through wire fences, traverse unstable terrain, and go through areas that they normally don't travel in order to get away from whatever scared them or caused them to flee which all can lead to possible injury and stress.

Once inside the gather corral and later when the wild horses or burros are trying to acclimate to the temporary holding corral and its associated activities, they will try to flee or shy away from any unknown disturbance in and around the corral. These disturbances can be people coming into the corral, trying to move the horses, climbing on the corral panels, making loud noises, sudden movements on the outside of the corral, and vehicle activities. The response to these disturbances can vary from simply moving away to kicking or striking out as well as trying to jump out of the pen. In attempting to flee or jump, potential injury to the horse can be minor cuts and bruises, lameness, fractures limbs, and possibly death. These disturbances also increase the level of stress experienced by the horses, which contractor personnel seek to minimize through their standard operating procedures.

4.2 Effects on the Health and Safety of the Public, BLM, and Contractors

4.2.1 Effects Resulting from Alternative A. Proposed Action

The temporary closure would protect members of the public from dangers caused by low-flying aircraft and from wild horse herding and handling. Wild horses or burros will try to flee if they perceive that something or someone suddenly blocks or crosses their path. Fleeing horses can go through wire fences, traverse unstable terrain, and go through areas that they normally don't travel in order to get away, all of which can lead them to injure people by striking or trampling them. In addition to reducing the potential for injury to the public, the proposed temporary closure would also protect the safety of BLM employees and contractors, by allowing them to complete gather operations without disturbances.

4.2.2 Effects Resulting from Alternative B. No Action

Public safety could be jeopardized if the lands are not closed to public entry during the gather operations. Without implementing the temporary closure, there would be increased potential for injury to BLM staff and contractors, as well as members of the public. Wild horses or burros will try to flee if they perceive that something or someone suddenly blocks or crosses their path. Fleeing horses can go through wire fences, traverse unstable terrain, and go through areas that they normally don't travel in order to get away, all of which can lead them to injure people by striking or trampling them.

Disturbances in and around the gather and holding corral have the potential to injure the BLM and contractor staff who are trying to sort, move, and care for the horses and burros by causing them to be kicked, struck, and possibly trampled by the animals trying to flee. Such disturbances also have the potential for similar harm to the public themselves.

4.3 Effects on Recreation

4.3.1 Effects Resulting from Alternative A. Proposed Action

Temporary closure of individual gather sites for up to 7 days in the vicinity of the Twin Peaks Gather operations may interfere with recreational activities that members of the public may want to undertake within the closure area, and may temporarily displace some recreationists. However, due to the vastness and size of the HMA and the dispersed nature of most recreation, there are many other alternative access routes and open areas that the public could utilize for recreation activities.

The temporary closure would also reduce the potential risk of injury to recreationists, for the reasons identified above in Section 4.2.1.

4.3.2 Effects Resulting from Alternative B. No Action

Without implementation of the temporary closure, there would be no interference with recreational activities. Recreationists could potentially be injured, however, for the reasons identified in Section 4.2.1.

4.4 Cumulative Effects of Alternatives A and B

All resource values have been evaluated for cumulative impacts. There are no other current or planned public closures in the vicinity of the project area. It has been determined that cumulative impacts would be negligible as a result of the proposed action since the closure is of a short duration, does not impact biological or cultural resources (other than wild horses and burros), and would not authorize any surface disturbing activities.

5.0 LIST OF PREPARERS

5.1 BLM Eagle Lake Field Office

Name	Resource/Activities	Project Role
Sue Noggles	Planning and Environmental Coordinator	EA Preparer
Dereck Wilson	Supervisory Rangeland Mgt. Specialist; Weed Management	EA Input
Patrick Farris	Rangeland Mgt. Specialist	EA Input
Marissa Williams	Outdoor Recreation Specialist	EA Input
Jeff Fontana	Public Information Officer	EA Input
Jason Peters	Law Enforcement Ranger	EA Input

Appendix 1

Visitor Observation Protocol and Ground Rules

Thank you for taking the opportunity to observe BLM round up operations in the Twin Peaks Herd Management Area. We hope you find your time informative and educational. Before you head out to the Twin Peaks HMA there are several things you must know.

Before participating in a scheduled observation day, observers must read the protocol and rules below and agree to comply with such rules. Observers will be notified that round up operations are taking place on BLM administered public lands. Any observer who does not follow the rules may be required to leave the gather site. These rules were created to ensure the safety of both the humans and the animals at the gather site(s).

Observation Days

Observation days will be held under escort every day of the gather. The BLM will continue to provide these daily opportunities so long as participants do not disrupt operations or create conditions that jeopardize the safety of the animals, observers, contractors, or BLM staff.

The BLM will discontinue regular observation days if gather operations are disrupted or safety is jeopardized.

Observers will assemble at the BLM Litchfield Corrals, 20 miles east of Susanville, at 6 a.m. daily. After a briefing, the group will be escorted to the trap site.

Observation areas will be delineated at each trap site that will provide observation opportunities that will not disrupt round up activities. Observers must stay in areas designated.

Bad weather or lack of gather operations on a given day (trap moving, equipment problems, etc.) will cancel the observation outing for that day.

Visitors will be allowed at temporary holding corrals from 8 a.m. to 1 p.m. each day. Maps to these facilities will be provided. BLM staff will be on hand to answer questions.

While most sites within the HMA are on BLM public lands, there are some gather sites that are located on private lands. Any public access to private lands is dependent on agreements reached with the landowner, as well as the need to balance the health, safety and welfare of the wild horses, personnel and public. If and when observers are allowed on these private lands, please respect private property as you would expect others to respect your property.

Animals will be taken to the Litchfield Corrals initially, and later to the Palomino Valley Wild Horse and Burro Center near Reno. Daily visiting hours will be announced.

The BLM retains the discretion to escort individuals off of the gather and/or holding sites at any time. In addition, any individuals who do not cooperate and follow the rules may be escorted off the gather and/or holding site, issued citations, or arrested by BLM law enforcement personnel.

Conditions

- There are no facilities, including restrooms, in the herd management area. We will provide restroom opportunities before we head out and when we return. You are on your own in the field.
- Cell service is very limited or nonexistent in much of the HMA. Plan to be out of range for most of the day.
- You must bring your own lunch, water and snacks.
- You must provide your own transportation. Government vehicles cannot be used to transport you to the trap sites, holding corrals or the Litchfield Wild Horse and Burro Corrals.
- Roads are rugged and rocky. A high clearance four wheel drive vehicle is strongly recommended. Your tires must be in good condition and you should have a fully inflated spare and tire changing equipment.
- Be prepared for weather extremes. You will need a jacket for the cool mornings, as we will depart shortly after sunrise. Afternoon temperatures will climb. There is no shade. Bring a hat, sunscreen, sunglasses and other appropriate protective clothing.
- Parking will be limited at many trap locations. Be prepared to hike into some observation locations. Some hikes could be arduous involving steep and rocky terrain. Some hikes could exceed two miles. Hiking requirements will be explained in the morning briefing on each observation day.
- Binoculars are strongly recommended.
- Please do not wear brightly-colored clothing.